THE HIGH COURT OF UTTARANCHAL AT NAINITAL.

Writ Petition (M/S) No. 209 of 2006
(Under Article 227 of the Constitution of India)

1. Ishwar Pal S/o Sri Paltu
2. Kanwar Pal S/o Sri Sibba.
3. Mitthan Lal S/o Sri Baljeet,
   All R/o Village- Prahladpur, Pargana,
   Gordhanpur, Tehsil- Laksar, District- Haridwar.

… **Petitioners.**

Versus

1. Civil Judge (J.D) Laksar,
   District- Haridwar.
2. Jaswant Singh S/o Sri Harnand Singh,
   R/o Village Prahladpur, Pargana, Gordhanpur,
   Tehsil Laksar, District- Haridwar.
3. Mool Chand S/o Sri Bhikki
   R/o Village- Prahladpur, Pargana- Gordhanpur,
   Tehsil – Laksar, District- Haridwar. … **Respondents.**

Sri Lokpal Singh, learned counsel for the petitioners.
Sri Nand Prasad, Learned Standing Counsel for the State-respondent No. 1.

Dated March 09, 2006.

PC:
(Hon'ble B.S.Verma, J.)

Heard learned counsel.

The petitioner has filed the present Writ Petition for issue of a direction to the respondent no.1 to decide Original Suit No. 203 of 1997, Jaswant Singh Vs. Ishwar Pal and others pending before him expeditiously.

The record of the case discloses that the respondent no.2 filed a suit for permanent injunction against the petitioners and respondent no.3 on 28-5-1997. The respondent no.2 obtained an interim stay order in the suit, which the respondent no.2 has been enjoying since 1997 and since then the plaintiff-respondent no.2 has

been adopting delay tactics to linger-on the proceedings of the suit so as to cause injury to the petitioner.

In the facts and circumstances of the case as well as on the basis of the material on record, I am of the opinion that it is a fit case in which direction for time bound decision of the suit may be issued to the respondent no.1. Accordingly, the respondent no.1 Civil Judge (Junior Dvision) Laksar is directed to decide the Original Suit No. 203 of 1997, Jaswant Singh Vs. Ishwar Pal and others expeditiously, preferably within a period of six months from the date of production of certified copy of this order.

With the aforesaid observation, the Writ Petition is disposed of finally.

(B.S. Verma, J.)

RCP